DEC 1 0 2004

12-13-04

PTO/SB/64 (09-04)

## PETITION OR REVIYEL OF AN APPLICATION FOR PATENT

Docket Number (Optional)

20174-002300US ABANDONÈ DUMBPÉNTIONALLY UNDER 37 CFR 1.137(b) First named inventor: Ian David Manger Application No.: 09/687,401 Art Unit: 1743 Filed: October 13, 2000 Examiner: Soderquist, Arlen Title: MICROFLUIDIC-BASED ELECTROSPRAY SOURCE FOR ANALYTICAL DEVICES Attention: Office of Petitions **Mail Stop Petition** Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 872-9306 NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE: A grantable petition requires the following items: (1) Petition fee: (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional. 1. Petition fee ☑ Small entity — fee \$750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity — fee \$ \_\_\_\_\_ (37 CFR 1.17(m)) 2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of an Amendment to Office Action dated 02/25/2004 (identify type of reply): has been filed previously on \_\_\_\_\_ is enclosed herewith. B. The issue fee and publication fee (if applicable) of \$\_\_\_\_\_. has been paid previously on \_\_\_\_\_ is enclosed herewith.

[Page 1 of 2]

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3.	Terminal disclaimer with disclaimer fee								
	Since this utility/plant application was filed on or	or after June 8, 1995, no terminal disclaimer is required.							
	A terminal disclaimer (and disclaimer fee (37 Cl for other than a small entity) disclaiming the rec PTO/SB/63).	CFR 1.20(d)) of \$ for a small entity or \$ equired period of time is enclosed herewith (see							
4.	filing of a grantable petition under 37 CFR 1.137(b Trademark Office may require additional information	red reply from the due date for the required reply until the b) was unintentional. [NOTE: The United States Patent and ion if there is a question as to whether either the er 37 CFR 1.137(b) was unintentional (MPEP 711.03(c),							
	WARNING: Information on this form may become included on this form. Provide credit card information of the control of the cont	me public. Credit card information should not be rmation and authorization on PTO-2038.							
	Saa B	December 10, 2004							
	Signature	Date							
	Eugene J. Bernard	42,320							
	Typed or printed name	Registration Number, if applicable							
	Townsend and Townsend and Crew L Two Embarcadero Center, Eighth Flo								
	Address	Telephone Number							
	San Francisco, CA 94111-3834								
_	Address								
E	nclosures:  Fee Payment								
	⊠ Reply								
	☐ Terminal Disclaimer Form	•							
	Additional sheets containing state	ements establishing unavoidable delay							
	Other:								
	<u> </u>								
	CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.10]								
	I hereby certify that this correspondence is being:  Deposited with the United States Postal Service "Express Mail Post Office To Address" service on the date shown below and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.								
	Transmitted by facsimile on the date sh Office at (703) 872-9306.	hown below to the United States Patent and Trademark							
	December 10, 2004  Date	Ganet S. New marker Signature							
	EV 470763907 US	Janet L. Newmaker							
	Express Mail Label No.	Typed or printed name of person signing certificate							
	<u> </u>								

TPE	Application Number	09/687,401		
RANSMITTAL	Filing Date	October 13, 2000		
FORM FORM	First Named Inventor	lan David Manger		
	Art Unit	1743		
(to be used for all correspondence after initial filing)	Examiner Name	Arlen Soderquist		
BARENumber of Pages in This Submission 18	Attorney Docket Number	020174-002300US		

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ENCLOSURES (Check all that apply)												
$\boxtimes$	Fee Trans	mittal For	m	Drawing(s)			After Allowance Communication to TC					
	Fe	e Attache	ed	Licensing-related Papers					Appeal Communication to Board of Appeals and Interferences			
	Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority  Document(s)			Petition Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD  Remarks The Commissioner is authorized Account 20-1430.					Appeal Noti Proprietary Status Lette Other Enck pelow): Postcard	osure(s) (please identify		
Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53												
			SIGNA	TURE	OF APPLICA	NT, A	TTORNEY, C	R AGE	NT .			
Firm N	Firm Name Townsend and Townsend and Crew LLP											
Signature E				e					·			
Printed name Eugene J. Bernard						•				·		
Date December 10, 2004					Reg. No.	42,320						
CERTIFICATE OF TRANSMISSION/MAILING												
I here servic	Express Mail Label: EV 470763907 US  I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date December 10, 2004, and is addressed to: Commissioner for Patents, Mail Stop Petition, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.											
Signa	ture		Janet à	R.43	rumater							
Турес	Typed or printed name Janet L. Newr			naker					Date	December 10, 2004		

(\$)750



Applicant claims small entity status. See 37 CFR 1.27

SUBTOTAL (2)

\*\*or number previously paid, if greater; For Reissues, see above

(\$)

Complete if Known

Application Number 09/687,401

Filing Date October 13, 2000

First Named Inventor Ian David Manger

Examiner Name Arlen Soderquist

Art Unit 1743

Attorney Docket No. 020174-002300US

TOTAL AMOUNT OF PAYMENT (\$) 750						Attorne	Attorney Docket No.			020174-002300US		
		METHOD	OF PAY	MENT (check all that app	ly)		<u> </u>		FEE CA	ALCULATION (continued)		
Ct	neck	Credit	Card	Money Order Othe	r None	3. AD	DITION	AL FEI	ES			
⊠ De	posit Ac	count:				Large	Entity	Small	Entity			
Depo Accou		20-	1430			Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	
Numt	er					1051	130	2051	65	Surcharge - late filing fee or oath		
Deposit Account Name  Townsend and Townsend and Crew LLP							50	2052	25	Surcharge - late provisional filing fee or cover sheet.		
							130	1053	130	Non-English specification		
			4 4 5 4 7 6 6	and all that analys		1812	2,520	1812	2,520	For filing a request for ex parte		
The Director is authorized to: (check all that apply)  Charge fee(s) indicated below Credit any overpayments										reexamination		
	-	-				1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
Charge any additional fee(s) or any underpayment of fee(s)  Charge fee(s) indicated below, except for the filing fee							1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
to the above-identified deposit account.							110	2251	55	Extension for reply within first month		
Ь—				ALCULATION		1252	430	2252	215	Extension for reply within second month		
		ILING FE										
Large I		Small Ent				1253	980	2253	490	Extension for reply within third month		
	Fee (\$)		Fee F (\$)	ee Description	Fee Paid	1254	1,530	2254	765	Extension for reply within fourth month		
1001	790		395 L	Jtility filing fee		1255	2,080	2255	1,040	Extension for reply within fifth month		
	350			Design filing fee		1401	340	2401	170	Notice of Appeal		
	550			Plant filing fee		1402	340	2402	170	Filing a brief in support of an appeal		
	790			Reissue filing fee		1403	300	2403	150	Request for oral hearing		
1005	160	•		Provisional filing fee	(0)	1451	1,510	1451	1,510	Petition to institute a public use proceeding		
SUBTOTAL (1)							110	2452	55	Petition to revive – unavoidable		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE							1,500	2453	750	Petition to revive – unintentional	750	
				Fee from		1501	1,370	2501	685	Utility issue fee (or reissue)		
			Extra	Claims below	Fee Paid	1502	490	2502	245	Design issue fee		
Total C	laims	_**	=	X =		1503	660	2503	330	Plant issue fee		
Indepen	dent F	_	<u> </u>			1460	130	1460	130	Petitions to the Commissioner		
Claims	dent	-**	=		:	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
Multiple Depend			L	× =	:	1806	180	1806	180	Submission of Information Disclosure Stmt		
Dependent  Large Entity   Small Entity						8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))		
1202 1201	18 88	2202 2201	9 44	Claims in excess of Independent claims		1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))		
1203	300	2203	150	Multiple dependent		1801	790	2801	395	Request for Continued Examination		
1204	88	2204	44	** Reissue independerenderenderenderenderenderendere	dent claims	1802	900	1802	900	(RCE) Request for expedited examination		
1205	18	2205	9	** Reissue claims in				l		of a design application		

SUBMITTED BY		Complete (if applicable)				
Name (Print/Type)	Eugene J. Bernard	Registration No. (Attorney/Agent)	42,320	Telephone	303-571-4000	
Signature	Ese I	e		Date	December 10, 2004	

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)